IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16355 of 2004

Between:

Ch. Bhaskar, S/o Rammohan Rao,

C/o Ch. Radha Krishna Murthy,

Sitha Nagar Street, Dwarakha Nagar,

Babametta, Vizianagaram District.

..... PETITIONER

AND

The Commissioner, Vizianagaram Municipality,

Vizianagaram District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring that the action of the Respondent herein in not considering the representation filed by the petitioner on 16-3-2004 for extension of the lease period for the shop No.8 and trying to allot the same to another person without issuing any notification calling for bids from the public is contrary to the A.P. Municipality Act and as such liable to be set aside by further directing the respondent to continue the petitioner in shop No.8 of Vipani Kalpa Shopping Complex, Vizianagaram.

Counsel for the Petitioner:MR.P.V.V.SATYANARAYANA

Counsel for the Respondent: MR.SRINIVAS DAMMALAPATI

The Court at the stage of admission made the following O R D E R:

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondent. Both the counsel had no objection to dispose of the writ petition at the admission stage.

Admittedly, the lease granted to the petitioner was expired in the month of April, 2004 and before such expiry of lease period, the petitioner filed a representation to the respondent on 16-03-2004 for renewal of the lease. Even the said representation also discloses that the petitioner agreed to clear the arrears of rent.

In view of the same, the respondent is directed to consider the representation of the petitioner and dispose of the same subject to petitioner depositing the entire arrears of rent within two weeks from today.

The writ petition is accordingly disposed of. No costs.

14th SEPTEMBER, 2004.

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To

1. The Commissioner, Vizianagaram Municipality, Vizianagaram District.
2. Two C.D copies.